

Appl. No. 09/871,774

Date of Response: November 5, 2007

Final Office Action Dated: April 3, 2007

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Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application:

1.-11. (Cancelled)

12. (Currently Amended) ~~The apparatus of Claim 1~~ An apparatus for enclosing goods on a surface for treatment comprising:

a canopy that is substantially impermeable to flowable materials;

an upper perimeter for supporting an upper portion of said canopy;

a lower perimeter for supporting a lower portion of said canopy, said lower perimeter being moveable with respect to said upper perimeter to form a chamber;

a perimeter support for supporting said upper perimeter and lower perimeter; and

a gasket in communication with said lower perimeter, said gasket being deformable to substantially seal the chamber by compressing said gasket against the surface and wherein the gasket has a hollow portion along its length and an inner surface in communication with the chamber, the inner surface having a plurality of perforations extending from the chamber to the hollow portion of the gasket.

13. (Original) The apparatus of Claim 12 further comprising a flowable material supply in communication with the hollow portion of the gasket.

14. (Original) The apparatus of Claim 12 wherein the flowable material supply is a cold air supply.

15.-26. (Cancelled)

27. (Currently Amended) ~~The method of Claim 25~~ A method of treating goods with a flowable material comprising the steps of:

placing the goods on a surface;

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providing an apparatus comprising:

a canopy that is substantially impermeable to the flowable material;

an upper perimeter for supporting an upper portion of said canopy;

a lower perimeter for supporting a lower portion of said canopy;

a perimeter support for supporting said upper perimeter and lower perimeter; and

a gasket in communication with said lower perimeter, said gasket being deformable and wherein the gasket has a hollow portion along its length and an inner surface in communication with the chamber, the inner surface having a plurality of perforations extending from the chamber to the hollow portion of the gasket,

lowering the apparatus to form a chamber over said goods on said surface;

causing the gasket to deform against said surface to substantially seal the chamber;

treating the goods comprising injecting the flowable material into the chamber wherein and the step of injecting the flowable material into the chamber further comprises connecting a flowable material supply to the hollow portion of the gasket; and

venting the chamber.

28.-39. (Cancelled)

40. (Currently Amended) ~~The apparatus of Claim 30~~ An apparatus for enclosing goods on a surface for fumigation comprising:

a canopy that is substantially impermeable to flowable materials; an upper perimeter for supporting an upper portion of said canopy;

a lower perimeter for supporting a lower portion of said canopy, said lower perimeter to be placed in proximity to said surface;

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a support structure capable of supporting said upper perimeter and lower perimeters; and

a gasket in communication with said lower perimeter, wherein said gasket is capable of being compressed by said lower perimeter against said surface to form a chamber, wherein the gasket has a hollow portion along its length and an inner surface in communication with the chamber, the inner surface having a plurality of perforations extending from the chamber to the hollow portion of the gasket.

41. (Original) The apparatus of Claim 40 further comprising a flowable material supply in communication with the hollow portion of the gasket.

42. (Original) The apparatus of Claim 41 wherein the flowable material supply is a cold air supply.

43.-55. (Cancelled)

56. (Currently Amended) ~~The apparatus of Claim 46~~ An apparatus for enclosing produce on a surface for fumigation and re-cooling comprising:

a canopy that is substantially impermeable to flowable materials; an upper perimeter for supporting an upper portion of said canopy;

a lower perimeter for supporting a lower portion of said canopy, said lower perimeter being moveable with respect to said upper perimeter to form a chamber;

a perimeter support for supporting said upper perimeter and lower perimeter;

a gasket in communication with said lower perimeter, said gasket being deformable to substantially seal the chamber by compressing said gasket against the surface;

a fumigation conduit for injecting a flowable material into the chamber;

a vent to release the flowable material from the chamber;

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a means for changing a pressure within the chamber; and

a cooling conduit for supplying chilled air to the chamber, wherein the cooling conduit forms a bore along the length of said gasket, the cooling conduit having an inner surface in communication with the chamber, the inner surface having a plurality of perforations extending from the chamber to the cooling conduit.

57.-63. (Cancelled)

64. (Currently Amended) ~~The method of Claim 63~~ A method of fumigating and re-cooling produce comprising the steps of:

placing the produce on a surface;

providing an apparatus comprising:

a canopy that is substantially impermeable to flowable materials;

an upper perimeter for supporting an upper portion of said canopy;

a lower perimeter for supporting a lower portion of said canopy;

a perimeter support for supporting said upper perimeter and lower perimeter;

and

a gasket in communication with said lower perimeter, said gasket being deformable;

lowering the apparatus to form a chamber over said produce on said surface;

causing the gasket to deform against said surface to substantially seal the chamber;

injecting a first flowable material into the chamber to fumigate the produce;

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venting the first flowable material from the chamber;

creating a first negative pressure within the chamber; and

supplying a second flowable material to the chamber for re-cooling the produce,
wherein the second flowable material is supplied to the chamber via a cooling conduit in
communication with the chamber and wherein the cooling conduit forms a bore along the
length of said gasket, the cooling conduit having an inner surface in communication with
the chamber, the inner surface having a plurality of perforations extending from the
chamber to the cooling conduit, and the step of supplying the second flowable material
further comprises connecting a chilled air supply to the cooling conduit.

65.-66. (Cancelled)